



AF/1638  
\$ IAW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re the Application of :  
Michael Wassenegger, et al. : Examiner: Georgia L. Helmer  
: Group Art Unit: 1638  
Serial No. 09/782,874 :  
Filed: February 8, 2001 : Docket No. 4476-P03504US01  
For: NUCLEIC ACID MOLECULES :  
ENCODING POLYPEPTIDES :  
HAVING THE ENZYMATIC :  
ACTIVITY OF AN RNA- :  
DIRECTED RNA POLYMERASE :  
(RdRP) :

**NOTICE OF APPEAL FROM THE PRIMARY  
EXAMINER TO THE BOARD OF APPEALS**

Applicant hereby appeals to the Board of Appeals from the decision dated May 18, 2004 of the Primary Examiner finally rejecting claims 29-35, 37, 48, 64-70 and 72-74.

This application is on behalf of

[ ] other than a small entity

[ X ] small entity.

The Appeal Fee of \$170.00 is

[ X ] enclosed

[ ] not required (fee paid in prior appeal in this application.

[ X ] charge any underpayment or credit any overpayment to Deposit Account No. 04-1406 (A duplicate copy of this Notice is enclosed herewith).

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN  
A Professional Corporation  
Attorneys for Applicant

11/24/2004 AWONDAF1 00000037 09782874

01 FC:2401

170.00 OP

By   
Kathleen D. Rigaut, Ph.D., J.D.  
PTO Registration No. 43,047

Telephone: (215) 563-4100  
Facsimile: (215) 563-4044  
Customer NO.: 000110